

**REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH
ORDINANCES/POLICIES**

**FOR PURPOSES OF CONSIDERATION OF
Sanders Minor Subdivision, Tentative Parcel Map; TPM 20765RPL2**

September 22, 2010

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

While the proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program, the project site and locations of any off-site improvements do not contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The proposed project and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

As identified within Section 67.722.A (Residential Density Controls) of the San Diego County Groundwater Ordinance, all parcels for single-family dwellings must be a minimum of 4 gross acres. The project's smallest lot is 7.13 gross acres, which is in compliance with the Groundwater Ordinance Residential Density Controls.

As identified within Section 67.722.C (Well Tests) of the San Diego County Groundwater Ordinance, the project conducted one required residential well test which passed the residential well test requirements as defined in Section 67.703.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

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| The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | NOT APPLICABLE/EXEMPT <input type="checkbox"/> |
| The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | NOT APPLICABLE/EXEMPT <input type="checkbox"/> |
| The Steep Slope section (Section 86.604(e))? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | NOT APPLICABLE/EXEMPT <input type="checkbox"/> |
| The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | NOT APPLICABLE/EXEMPT <input type="checkbox"/> |
| The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | NOT APPLICABLE/EXEMPT <input type="checkbox"/> |

Discussion:

Wetland and Wetland Buffers: The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe: The project is not located near any floodway/floodplain fringe area as defined in the resource protection ordinance, nor is it located near any watercourse which is plotted on any official County floodway/floodplain map.

Steep Slopes: Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be place in open space easements by the San Diego

County Resource Protection Ordinance (RPO). There are steep slopes on the property however, an open space easement is proposed over the entire steep slope lands. Therefore, the project is in conformance with the RPO.

Sensitive Habitats: Sensitive habitat lands include unique vegetation communities and/or habitat that is either necessary to support a viable population of sensitive species, is critical to the proper functioning of a balanced natural ecosystem, or which serves as a functioning wildlife corridor. No sensitive habitat lands were identified on the site. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

Significant Prehistoric and Historic Sites:

The property has been surveyed by a County of San Diego approved archaeologist Andrew R. Pignolo of Laguna Mountain Environmental, Inc., and it has been determined there are several archaeological sites in the project area of potential effect (APE). A cultural resource testing program determined the significance of four site(s) located within the project area: CA-SDI-17207, CA-SDI-17210*, CA-SDI-17211, CA-SDI-19289* and CA-SDI-19290 (*CA-SDI-17210 and CA-SDI-19289 were determined to be one site with 2 loci).

One site, CA-SDI-17212, was not tested because it will be preserved and protected within a biological open space. Testing of the other sites determined that one site (CA-SDI-17210/19289) is CEQA significant. While the other three sites are important resources, the testing program exhausted the research potential and the impacts to these sites would have a less than significant impact.

Site CA-SDI-17210/19289 has been identified as a bedrock milling site and as such, along with the recovery of 318 artifacts, is considered significant under CEQA criteria (d) and recommended as eligible for listing in the California Register of Historic Places. However, this site does not meet the criteria considered as RPO significant. Mitigation of direct and indirect impacts to the site will be achieved through completion of a data recovery program.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES
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NO
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NOT APPLICABLE
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Discussion:

DPW staff has reviewed the Preliminary Drainage Study, Stormwater Management Plan (SWMP), and Preliminary Grading Plan prepared by Snipes-Dye Associates. The SWMP is considered adequate for CEQA purposes and complies with the San Diego County Standard Urban Stormwater Mitigation Plan (SUSMP) and Watershed Protection Ordinance (WPO) requirements for a SWMP.

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES

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NO

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NOT APPLICABLE

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Discussion:

The proposal, with the implementation of a noise protection easement, would not expose people to nor generate potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

Current in-house GIS applications indicate that portions of Parcels 1, 2, 3 and 4 maybe exposed to noise levels exceeding the County Noise Standard requirement of 60 dBA CNEL. Staff has further analyzed the noise impacts independently. Project is located adjacent to Old Highway 80 which is considered a C.E. Collector Road with a minimum design speed of 55 mph. According to the SanDAG website, anticipated future 2030 traffic counts for Old Highway 80 is 5,000 ADT. Based on preliminary in-house noise modeling (Sound32 Application), future traffic noise levels are projected to be 60 dBA CNEL at portions of Pad 3. Due to this preliminary noise review, a noise study will not be required however; to ensure that proposed future noise sensitive land uses (NSLU) do not exceed the exterior [60 dBA CNEL] and interior [45 dBA CNEL] noise level limit requirement, the project will be dedicated a Noise Protection Easement. Portions of pads within Parcel 3 and Parcel 4 would be exposed to the 60 dBA CNEL future traffic noise contour. The future residential structures on Pads 3 and 4 will provide adequate screening for exterior noise sensitive areas to further reduce noise levels to below 60 dBA CNEL. The project subdivision also complies with the minimum 10% requirement of exterior areas to be below 60 dBA CNEL. The Noise Protection Easement dedication will ensure that interior noise levels comply with the County interior requirement of 45 dBA. The in-house noise model utilized projected 2030 counts of 5,000 ADT for Old Highway with speeds of 55 mph and a most conservative truck mixed of 92.5/3/4.5 was used. noise conditions to TPM20765 based on this current review. Implementation of a noise protection easement dedication to the map will ensure the project will not expose people to potentially significant noise levels that exceed the allowable limits of the County of San Diego General Plan and County Noise Ordinance.